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MEMO ENDORSED

BY ECF

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

August 5, 2016

Re: Rothenberg et al. v. Daus et al., No. 08-CV-00567 (SHS)

Your Honor:

We are counsel to the parties in the above-referenced matter and write to request the Court's assistance with a potential settlement of this action.

After lengthy and productive discussions, counsel for the parties have made substantial progress on a possible settlement (which would be subject to approval by the NYC Comptroller and the parties). However, there are at least three items that are in dispute. We respectfully request the Court's assistance in resolving these matters, either by scheduling a settlement conference in which the issues would be addressed by your Honor, or in referring the matter to a magistrate judge or mediator to assist in reaching a settlement.

Defendants are not requesting a stay of the litigation (e.g., pending motions); any discussions should be considered independent of the litigation now pending before the Court until a settlement is reached. Plaintiffs ask that the Court stay pending motions until a settlement conference is concluded. The parties jointly request that no conference be scheduled between

8/5/16
The parties are to appear
for a conference on August 29
at 2:30 p.m. to discuss the nature of
the remaining issues 2) the parties'
preferences between the Court, a
magistrate, or a mediator to
resolve the issues and 3) a
schedule for resolving the
issues. So ordered
Sidney H. Stein
U.S.D.J.

August 8 and August 26 or on September 2nd due to long-planned family vacations and previously-scheduled court appearances.

Respectfully,

/s/

Amy J. Weinblatt

Jerald Horowitz

Assistant Corporation Counsels

Counsel for Defendants

/s/

Norman Siegel

Daniel Ackman

Counsel for Plaintiffs